

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION

UNITED STATES OF AMERICA

v.

JAMES DENSON TANNER

**FIRST SUPERSEDING INDICTMENT**

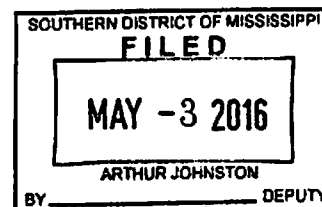
CRIMINAL NO. 1:15cr27HSO-RHW

26 U.S.C. § 5861(d)

21 U.S.C. § 846

**The Grand Jury charges:**

COUNT 1



On or about October 1, 2014, in George County, in the Southern Division of the Southern District of Mississippi, the defendant, **JAMES DENSON TANNER**, knowingly possessed a firearm, to-wit: a Smith and Wesson Eastfield, Model 916, 12 gauge Shotgun, which had been modified to be a firearm with a barrel less than 18 inches in length, not registered to him in the National Firearms Registration and Transfer Record.

In violation of Sections 5841, 5861(d), and 5871, Title 26, United States Code.

COUNT 2

On or about October 1, 2014, in George County, in the Southern Division of the Southern District of Mississippi, the defendant, **JAMES DENSON TANNER**, knowingly and intentionally conspired, confederated, and agreed together with other persons known and unknown to the Grand Jury, to commit offenses against the United States, as prohibited by Title 21, United States Code, Section 841(a)(1), that is to say, they conspired to possess with intent to distribute a controlled substance, which offense involved less than 50 kilograms of marijuana, a Schedule I Controlled Substance as prohibited by Section 841(a)(1), Title 21, United States Code.

All in violation of Section 846, Title 21, United States Code.

**NOTICE OF INTENT TO SEEK CRIMINAL FORFEITURE**

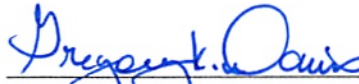
As a result of committing the offense as alleged in this indictment, the defendant shall forfeit to the United States all property involved in or traceable to property involved in the offense, including but not limited to all proceeds obtained directly or indirectly from the offense, and all property used to facilitate the offense.

The grand jury has determined that probable cause exists to believe that the following property is subject to forfeiture as a result of one or more of the offense alleged in this indictment:

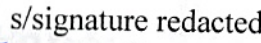
**One (1) Smith & Wesson Eastfield Model 916, 12 gauge Shotgun, serial number B23281.**

Further, if any property described above, as a result of any act or omission of the defendant: (a) cannot be located upon the exercise of due diligence; (b) has been transferred or sold to, or deposited with, a third party; (c) has been placed beyond the jurisdiction of the Court; (d) has been substantially diminished in value; or (e) has been commingled with other property, which cannot be divided without difficulty, then it is the intent of the United States to seek a judgment of forfeiture of any other property of the defendant, up to the value of the property described in this notice or any bill of particulars supporting it.

All pursuant to Section 5872, Title 26, United States Code and Section 2461, Title 28, United States Code.

  
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GREGORY K. DAVIS  
United States Attorney

A TRUE BILL:

 s/signature redacted  
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Foreperson of the Grand Jury

This indictment was returned in open court by the foreperson or deputy foreperson of the grand jury on this the 3<sup>rd</sup> day of May, 2016.

  
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UNITED STATES MAGISTRATE JUDGE